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November 3, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: Request for Limited Modification of LATA Boundaries to Provide ELCS Between Verizon Virginia Inc.'s Crows-Hematite Exchange and NTELOS Network Inc.'s Potts Creek Exchange; CC Docket No. 96-159

Dear Ms. Dortch:

Verizon Virginia Inc. hereby submits this request for a LATA boundary modification to provide Expanded Local Calling Service (ELCS) between its Crows-Hematite Exchange and NTELOS Network Inc.'s Potts Creek Exchange.

In its order released July 15, 1997¹ ("Order"), the Commission established an ongoing process for requesting LATA boundary modifications to provide ELCS. This request is filed pursuant to the provisions contained in that order. Attached please find the support documentation required by the Commission to approve the requested modification.

Should you have any questions regarding this material, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Richard T. Ellis".

Attachment

cc: D. Johnson
M. Carey

¹ "In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations", CC Docket No. 96-159, released July 15, 1997.

Request for Limited Modification of LATA Boundaries to Provide ELCS Between Verizon Virginia Inc.'s Crows-Hematite Exchange and NTELOS Network Inc.'s Potts Creek Exchange

- (1) Type of Service
Traditional Local Service, Non Optional ELCS
- (2) Direction of Service
Two-way
- (3) Exchanges Involved
ELCS between Verizon Virginia Inc.'s Crows-Hematite Exchange located in the Charleston, West Virginia LATA and NTELOS Network Inc.'s Potts Creek Exchange located in the Roanoke, Virginia LATA.
- (4) Name of Carriers
Crows-Hematite - Verizon Virginia Inc.
Potts Creek – NTELOS Network Inc.
- (5) State Commission Approval
The Virginia State Corporation Commission issued a Final Order on June 20, 2003 approving ELCS for this route. A copy of the Final Order is attached.
- (6) Number of Network Access Lines
Crows-Hematite Exchange - 334
Potts Creek Exchange - 731
- (7) Usage Data
Messages per main station per month
Crows-Hematite to Potts Creek - 1.52
Potts Creek to Crows-Hematite - 0.62
Percent of subscribers making calls
Crows-Hematite to Potts Creek - Data not available
Potts Creek to Crows-Hematite - Data not available
- (8) Poll Results
Crows-Hematite to Potts Creek
No survey taken; no public notice
See item 11
Potts Creek to Crows-Hematite
No survey taken; no public notice
See item 11

(8) Poll Results (Continued)

ELCS Rate Increase – Crows-Hematite

Residential

Flat Rate	\$ 0.00
Message Rate	\$ 0.00
Measured Rate	\$ 0.00
Economy Rate	\$ 0.00
Exchange Only Rate	\$ 0.00

Business

Flat Rate Line	\$ 0.00
Message Rate Line	\$ 0.00
Measured Rate Line	\$ 0.00
Flat PBX Trunk	\$ 0.00
Message PBX Trunk	\$ 0.00
Measured PBX Trunk	\$ 0.00

ELCS Rate Increase – Potts Creek

Residential

Flat Rate	\$ 0.00
Lifeline Service	\$ 0.00
Measured Rate	\$ 0.00

Business

Flat Rate	\$ 0.00
Flat Key Line Service	\$ 0.00
Flat Rate Trunk	\$ 0.00
Measured Single Line	\$ 0.00

(9) Community of Interest Statement

Crows-Hematite is a rural exchange with approximately 334 access lines and is located in Alleghany County in Southwest Virginia in the Charleston, West Virginia LATA. Of these 334 access lines, there are only approximately 10 business lines. The Potts Creek Exchange, which is adjacent to the Crows-Hematite Exchange is also located in Alleghany County but is in the Roanoke, Virginia LATA. The Potts Creek Exchange has approximately 731 access lines. With the exception of extreme basic services, Crows-Hematite customers must use services located in other exchanges. The Potts Creek Exchange is approximately twice as large as Crows-Hematite and, as such, several small businesses in the Potts Creek area are frequently used by Crows-Hematite consumers. The small businesses in Potts Creek also offer potential employment to the adjacent Crows-Hematite Exchange residents. These businesses include an excavating company, a communications systems company, a dry wall contracting company, an electrical contracting company, a tractor and equipment sales company and a salvage and repair company. Retail services available in Potts Creek include two food stores, a dog and cat inn and a tree service company. A licensed clinical social worker is also located in the Potts Creek Exchange. The Crows-Hematite and Potts Creek communities do have relatively small populations and there are several reasons that local telephone service would improve the quality of life for the residents. Both communities are in the same magisterial district. Telephone calls to and from constituents are hampered because of long distance charges. The communities have their own Elementary Schools, but they share the same Middle and High Schools. School bus routes that transport students to the Middle and High Schools overlap in these communities because of their close proximity. Communication with school personnel, fellow students, parents and school bus drivers would be greatly enhanced with local calling. The obvious size of these communities limits the number of volunteer fire and rescue personnel that are available for emergency and routine support. The small fire departments and rescue squads must assist each other through mutual aid on a routine basis. Due to the austere topography of this area, radio communication is less than adequate. These volunteers depend on land line communication to provide support to their citizens. Therefore, local calling between these agencies would assist tremendously in the area of public safety. ELCS would allow local communication between these adjacent areas for commercial and employment issues as well as address personal community of interest issues such as calling between friends, relatives and churches. The data outlined above, supports community of interest between these two adjacent exchanges.

(10) Maps

Maps are attached of the Crows-Hematite and Potts Creek Exchanges.

(11) Other Pertinent Information

Chronology

On September 3, 2002, NTELOS Network Inc.'s Potts Creek Exchange subscribers petitioned the Virginia State Corporation Commission for Extended Local Calling Service (ELCS) to Verizon Virginia Inc.'s Crows-Hematite Exchange. The Commission directed NTELOS Network Inc. to determine the change in monthly rates to provide ELCS from Potts Creek to Crows-Hematite. NTELOS Network Inc. determined that the cost to provide ELCS from Potts Creek to Crows-Hematite was negligible and would not result in a monthly increase for Potts Creek customers.

The Commission then directed Verizon Virginia Inc. to determine rates for ELCS from Crows-Hematite to Potts Creek. The Crows-Hematite Exchange was previously scheduled to receive an automatic rate regrouping to a higher rate class effective December 2003. This rate regrouping would be exclusive of adding ELCS to the Potts Creek Exchange. Verizon did develop a cost study to determine additional monthly rates that would apply for ELCS. If ELCS were to be implemented, then the Crows-Hematite customers would be subject to a monthly increase associated with ELCS as well as the planned rate regrouping increase. Verizon further determined that the scheduled rate regrouping increase would offset the additional monthly cost associated with ELCS and therefore agreed to waive the monthly increase associated with ELCS and implement local calling from the Crows-Hematite Exchange to the Potts Creek Exchange coincident with the new tariff effective date associated with the rate group re-classification.

On June 20, 2003 the Virginia State Corporation commission issued a Final Order approving Extended Local Calling Service between Potts Creek and Crows-Hematite.

Virginia State Code, Section 56-484.2

This section of the Virginia State Code allows customers to petition the State Corporation Commission for ELCS. A copy of this section is attached.

Attachments

Virginia State Corporation Commission Final Order in Case No. PUC 2002-00180

Map of the Crows-Hematite Exchange

Map of the Potts Creek Exchange

Virginia LATA map

Virginia State Code, Section 56-484.2

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

0306 4 0074
DOCUMENT CONTROL

AT RICHMOND, JUNE 20, 2003

PETITION OF

2003 JUN 20, P 2:23

POTTS CREEK EXCHANGE CUSTOMERS

CASE NO. PUC-2002-00180

For Extended Local Service from
NTELOS Telephone Inc.'s Potts Creek
Exchange to Verizon Virginia Inc.'s
Crows-Hematite Exchange

FINAL ORDER

On September 3, 2002, telephone customers in NTELOS Telephone Inc.'s ("NTELOS") Potts Creek Exchange petitioned the State Corporation Commission ("Commission") for Extended Local Service ("ELS") to Verizon Virginia Inc.'s ("Verizon Virginia") Crows-Hematite Exchange.

Pursuant to the provisions of § 56-484.2 of the Code of Virginia, by Order dated October 4, 2002, the Commission directed NTELOS to prepare a cost study to estimate the approximate change in the monthly rates that would result from the requested extension of local service from the NTELOS Potts Creek Exchange to Verizon Virginia's Crows-Hematite Exchange. The Order also directed NTELOS, after preparing the cost study, to poll its customers in the Potts Creek Exchange regarding their willingness to pay higher rates for local calling to the Crows-Hematite Exchange.

On December 18, 2002, NTELOS submitted a letter stating that it had determined that its costs for extending local

JUN 27 2003

calling from its Potts Creek Exchange to Verizon Virginia's Crows-Hematite Exchange are negligible and would like to offer its Potts Creek Exchange customers local calling to Verizon Virginia's Crows-Hematite Exchange customers without increasing their monthly local rates.

On April 11, 2003, Verizon Virginia submitted its cost study identifying the additional monthly charges that would apply if the local calling area is extended.¹ Along with the cost study, Verizon Virginia included a letter stating that the Crows-Hematite Exchange is scheduled for an automatic rate group reclassification in December 2003. The rate regrouping would result in a rate increase in addition to the ELS increase. Verizon Virginia proposes in its letter to implement ELS from its Crows-Hematite Exchange to the NTELOS Potts Creek Exchange coincident with implementing the scheduled automatic rate class regrouping. However, Verizon Virginia proposes to waive the rate increase identified in its cost study for ELS. Therefore, there will be no additional cost to customers in NTELOS' Potts Creek Exchange or Verizon Virginia's Crows-Hematite Exchange to implement ELS.

¹ The cost study prepared by Verizon Virginia for local calling from its Crows-Hematite Exchange to NTELOS' Potts Creek Exchange estimated that the ELS adders would be as follows: flat rate residential service, \$0.16; flat rate business service, \$0.52; and trunk service, \$0.79.

NOW THE COMMISSION, having considered the matter and applicable law, is of the opinion and finds that ELS should be implemented from NTELOS' Potts Creek Exchange to Verizon Virginia's Crows-Hematite Exchange, and vice versa. Since this route crosses a Local Access and Transport Area boundary, we note that Verizon Virginia must seek a waiver from the FCC to implement this service.

Accordingly, IT IS ORDERED THAT:

(1) The proposed extension of local service from NTELOS' Potts Creek Exchange to Verizon Virginia's Crows-Hematite Exchange shall be implemented at no additional cost to Potts Creek Exchange customers.

(2) The proposed extension of local service from Verizon Virginia's Crows-Hematite Exchange to the NTELOS Potts Creek Exchange shall be implemented in conjunction with its rate group reclassification of the Crows-Hematite Exchange with the cost study adder rates waived. If the FCC has not granted Verizon Virginia's waiver request at the time of the rate group reclassification, then ELS from Verizon Virginia's Crows-Hematite Exchange to NTELOS' Potts Creek Exchange shall be implemented as soon as the waiver is granted.

(3) NTELOS and Verizon Virginia shall file the tariff revisions necessary for the proposed extensions of local service.

(4) Since there is nothing further to come before the Commission, this case is dismissed and removed from the Commission's docket of active cases.

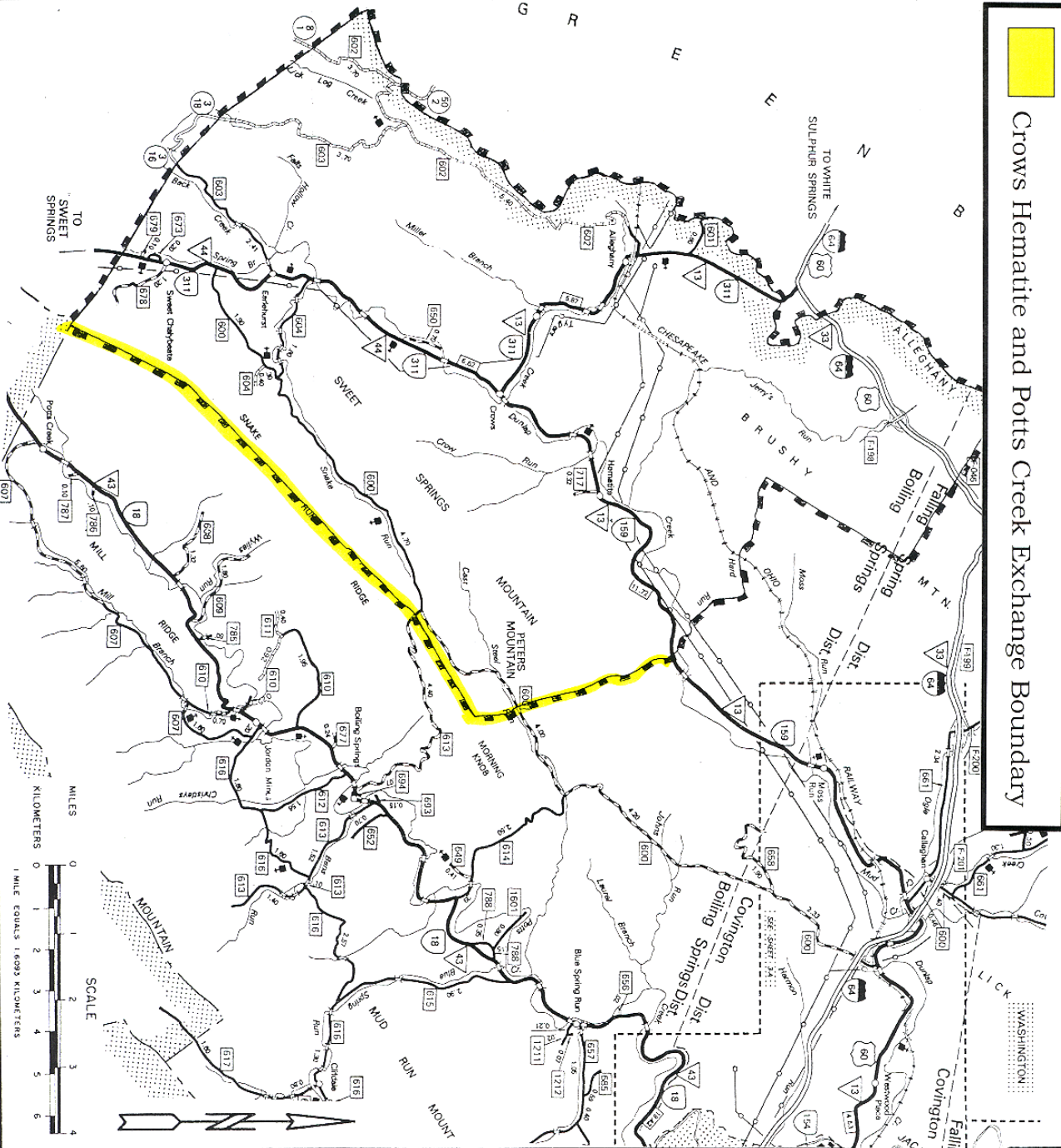
AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Rick L. Hall, Director of Public Safety, County of Alleghany, Alleghany County Governmental Complex, 9212 Winterberry Avenue, Covington, Virginia 24426; Mary McDermott, Senior Vice President - Legal and Regulatory Affairs, NTELOS Network Inc., 401 Spring Lane, P.O. Box 1990, Waynesboro, Virginia 22980-7590; Lydia R. Pulley, Esquire, Vice President, General Counsel, and Secretary, Verizon Virginia Inc., 600 East Main Street, Suite 1100, Richmond, Virginia 23219-2441; C. Meade Browder, Jr., Senior Assistant Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; and the Commission's Office of General Counsel and Division of Communications.

A True Copy
Teste:


Clerk of the
State Corporation Commission



Crows Hematite and Potts Creek Exchange Boundary



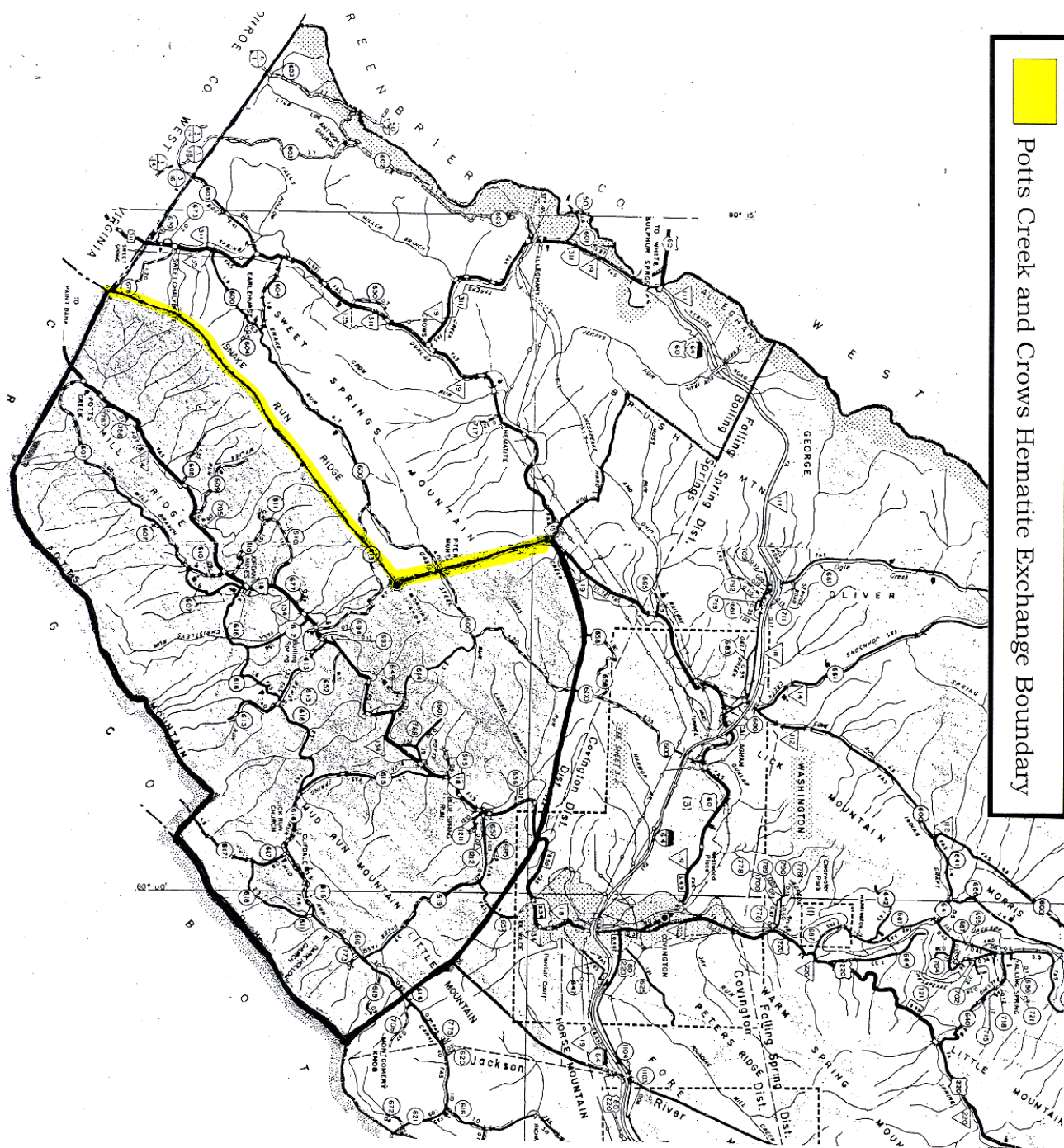
Exchange Map Date



EXCHANGE AREA

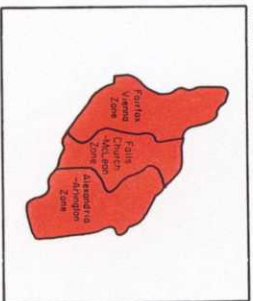
CROWS-HEMATITE

Potts Creek and Crows Hematite Exchange Boundary



LOCAL ACCESS TRANSPORT AREAS AND

INDEPENDENT MARKETING AREAS
(Including Independent Telephone Company Areas
Associated with each LATA)



§ 56-484.2. Extension or reduction upon poll of certain subscribers.

A. Upon petition of five percent but in no case less than twenty-five of the subscribers in an established telephone exchange for an extension or reduction of their local service area to include or exclude a contiguous local exchange or exchanges, or upon resolution of the governing body of a county for a countywide local service area, the Commission shall estimate the approximate change in the monthly rate for service which will result from such extension or reduction. In the case of a governing body resolution for countywide calling, the Commission, prior to estimating the approximate rate change, shall determine which exchanges within the county have a community of interest calling percentage that is fifty percent or greater in at least one direction to at least one other exchange within the county. The Commission shall then undertake to estimate the approximate change in the monthly rate for service that will result from such expanded local calling area for each such exchange. The Commission shall order the affected company or companies to poll those subscribers whose monthly rate for service would change if the proposed changes were adopted. However, polls shall not be required in the exchange or exchanges to which the petitioners desire an extension of local service if (i) any resulting rate increases in any twelve-month period do not, in the aggregate, exceed five percent of the existing monthly one-party residential flat rate service for the affected exchange to which the petitioners desire an extension of local service or (ii) any resulting rate increases in any twelve-month period, in the aggregate, exceed five percent solely due to rate regrouping. No more than one petition for a poll from the same group of subscribers or resolution from the governing body of a county shall be considered by the Commission during any three-year period. For purposes of determining the exchanges that will be polled pursuant to this subsection, "community of interest calling percentage" means the percentage of customers in an exchange that make one or more calls per month to another exchange within the county.

B. If a poll is required pursuant to subsection A and a majority of the subscribers are in favor of the proposed change, or if the Commission determines that a majority of subscribers voting are in favor of the proposed change, the Commission shall order the extension or reduction of their local service area. For the purposes of this section, the number of subscribers in an established telephone exchange shall be deemed to be the number of subscribers in an exchange as of January 1 of the calendar year when the petition is submitted to the Commission. Telephone subscribers shall be given thirty-five days from the day ballots are placed in the U.S. mail to return their survey form. Upon completion of the poll, results shall be duly certified to the Commission.

C. If a poll is not required pursuant to subsection A, the Commission shall require notice to customers in exchanges in which polls are not required and shall convene a hearing on the proposed extension or reduction of the local calling area if the lesser of five percent or 150 of the customers within such exchanges request a hearing. The Commission may convene a hearing under this subsection on its own motion without regard to the number of customers who request a hearing.

D. Where the governing body of a county passes a resolution for a countywide local service area under subsection A and the poll for such service is defeated, the governing body shall reimburse the affected company or companies for the costs of the poll.

E. The Commission shall give the highest priority to petitions or resolutions presented under subsection A that involve exchanges in rural areas.

(1976, c. 265; 1978, c. 232; 1985, c. 382; 1990, c. 339; 1993, c. 974; 1994, cc. 180, 347; 1995, c. 466; 1996, c. 272.)